

**Minutes  
Bar Harbor Planning Board  
November 19, 2008  
Council Chambers – Municipal Building  
93 Cottage Street**

**I. CALL TO ORDER — 6:03 p.m.**

*Members present: Kay Stevens-Rosa, Chair; Kevin Cochary, Vice-Chair; Lynne Williams, Secretary; Dave Bowden. Also present: Lee Bragg, Town Attorney; Kris Hultgren, Staff Planner*

**II. EXCUSED ABSENCES**

There were no excused absences.

**III. ADOPTION OF THE AGENDA**

*Ms. Williams moved to adopt the agenda. Mr. Cochary seconded and the Board voted unanimously to approve the motion.*

**IV. APPROVAL OF MINUTES**

*Ms. Williams moved to approve the minutes from the November 5 meeting. Mr. Cochary seconded and the Board voted 3-0 to approve the motion with Mr. Bowden abstaining.*

**V. REGULAR BUSINESS**

**A. Completeness Review – SD-07-07 – Tranquility Bond, LLC**

**Project Location:** Seabury Drive, Bar Harbor Tax Map 207, Lot 32

**Applicant:** Tranquility Bond, LLC

**Application:** Proposes to subdivide 24.4 acres into 7 lots

Ms. King, representing the applicant, gave an overview of the project. She briefly reviewed the history of the project.

Mr. Bowden noted that he found the application to have all the appropriate parts. He asked if the applicant has applied to the MaineDOT for a second egress because this is a new project with fewer units than the first proposed project. Ms. King noted that the applicant has not applied for an exit/entrance onto Route 3 for this application. Mr. Bowden concluded by mentioning the Board's consistency with requiring utilities to be buried.

Mr. Cochary asked the applicant if waste was ever dumped on the site. Mr. Bond, the applicant, noted that at one point there were materials dumped on the property but it was stopped. Ms. King said she would look into it.

Ms. Williams mentioned the new owners being part of a road association. Ms. King noted that the new owners would be part of any road association but to her knowledge no association has been created.

Mr. Cochary asked about upgrading the road. Ms. King referred to tab 12 in the application explaining the details of the road improvements. Mr. Bond said it is his intention to upgrade the road to the standards in the LUO for the portion of the road that fronts his property.

The Board continued to discuss the second means of egress onto Route 3. The applicant agreed to review possible options.

***Ms. Williams moved to find the application complete. Mr. Cochary seconded.***

Ms. Stevens-Rosa took limited public comment on the issue of completeness.

Mr. Kelly, an abutter, noted his surprise that a road association had not been created. He also asked about the maintenance of the fire pond, covenants on the new lots, building envelopes on the site plan and road improvements on Seabury Drive.

Mr. Moore, an abutter, asked why more of the road details were not included in the application and not just the portion of the road in front of the applicant's property. He also mentioned the possibility of a second means of egress.

Mr. Cochary asked if the property beyond the applicant's property is relevant and noted that he is hesitant to ask the applicant to address road issues beyond its property.

Ms. Calais, an abutter, mentioned that all the lots in the Seabury Drive neighborhood should be considered as one subdivision.

***The Board voted unanimously to approve the motion to find the application complete.***

**B. Completeness Review – SD-08-02 – Silent Stream**

**Project Location:** Gilbert Farm Road, Bar Harbor Tax Map 220, Lot 61-2

**Applicant:** Marc Hamblen

**Application:** Proposes a 2 lot residential subdivision

Mr. Musson, representing the applicant, gave an overview of the application.

Mr. Musson submitted new information about the site's inclusion in an existing spruce ecosystem.

Mr. Musson noted the existing driveway that will serve as the road.

Mr. Bowden asked about the stormwater drainage and noted that there seems to be an excess of water on the property. The applicant noted the post-development stormwater plan and how most of the property drains onto itself.

Mr. Bowden asked about burying utilities. Mr. Musson noted that no utility work is requested at this time.

***Mr. Cochary moved to find the application complete. Mr. Bowden seconded and the Board voted unanimously to approve the motion.***

The public hearing is scheduled for January 7, 2009.

**C. Sketch Plan Review – SD-08-04 – Vicki Hall**

**Project Location:** Eagle Lake Road, Bar Harbor Tax Map 244, Lot 15

**Applicant:** Vicki Hall

**Application:** Proposes a 2 lot residential subdivision

Mr. Musson, representing the applicant, gave an overview of the project.

Mr. Cochary mentioned his employment with the National Park Service and the Park's comments on the project. He noted his ability to be impartial addressing the application.

The applicant said they did not have a problem with Mr. Cochary remaining on the Board during this project. Mr. Bowden noted that in previous cases when the Park expressed concerns with a project Mr. Cochary has recused himself and Mr. Bowden said he thinks Mr. Cochary should do the same with this project. Ms. Williams mentioned the ethics ordinance and its requirement that members step down if they have a financial interest in the project and she did not believe that is the case with this project. Ms. Stevens-Rosa agreed. Mr. Bragg noted it is up to the Board to decide.

***Ms. Williams moved to allow Mr. Cochary to continue the deliberation with this sketch plan review. Mr. Bowden seconded and the Board voted 2-1 to approve the motion with Mr. Bowden voting no.***

The Board and the applicant discussed the wetlands on the property. It was noted that there is some question as to whether there is one contiguous wetland or two wetlands on the property.

Mr. Bowden asked why the applicant is waiving the requirement that they provide proof that their taxes were paid. Mr. Musson noted that this requirement is always waived and staff confirmed that this checklist item will be removed.

Mr. Kelly, representing the park, noted the Park's concern with the wetlands on the property.

***Mr. Cochary moved to grant the requested waivers. Mr. Bowden seconded and the Board voted unanimously to approve the motion.***

The applicant will work with staff to schedule a site visit. The Board determined that no neighborhood meeting is necessary.

**VI. OTHER BUSINESS**

A. Endorsement of Blagden Highlands Subdivision

The Board endorsed the project

B. Endorsement of Woodworth Subdivision

The Board endorsed the project

**VII. PLANNING DIRECTOR'S REPORT**

**VIII. BOARD MEMBER COMMENTS AND SUGGESTIONS FOR THE NEXT AGENDA**

**IX. ADJOURNMENT – 7:06**

*Signed as approved:*

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Lynne Williams, Secretary  
Planning Board, Town of Bar Harbor

Date